IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2624 OF 2004

Mata Sevak Sharma ...Petitioner

Versus

Slum Rehabilitation Authority ...Respondent

Shri S.K.Keshwani for the Petitioner.
None for the Respondent.

CORAM : S.C. DHARMADHIKARI, J.
DATE : JANUARY 16, 2006.

P.C.:

1. Heard learned Counsel appearing for the petitioner. No case is made out for interference under Article 227 of the Constitution of India with the finding of the Slum Rehabilitation Authority to the effect that the petitioner has produced documents pertaining to one structure bearing Hut No.503/10 and, therefore, he has been held eligible for one structure in the scheme. The plea that the petitioner had two structures and one was utilised as residence and the other as a shop, has not been substantiated.

2. The learned Counsel states that the petitioner has documents apart from the Shops and Establishments Licence to substantiate that he had, at the relevant time, two structures. He submits that there are some shops which have not still been allotted under the

scheme. If that be so, it would be open for the petitioner to approach the Slum Rehabilitation Authority and substantiate his pleas with regard to the shop premises. If any shops are not allotted as yet, the Slum Rehabilitation Authority would definitely consider the petitioner's request and take appropriate decision. Needless to observe that the Slum Rehabilitation Authority can always, based upon subsequent pleas, alter its earlier decision, if permissible in law. Keeping all such remedies open for the petitioner, present Petition is dismissed.

(S.C.DHARMADHIKARI,J.)